



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TEXAS 75202

10/89
Mr. Peter J. Kalis
Kirkpatrick & Lockhart
1500 Oliver Bldg.
Pittsburg, Pennsylvania 15222-5379

Dear Mr. Kalis:

I am in receipt of your October 5, 1989 letter regarding the accidental release that occurred at the Fansteel, Inc. facility in Muskogee, Oklahoma on June 18, 1988. I am pleased with the efforts to date undertaken by Fansteel to address the contamination caused by the liner failure in their Pond #3.

It appears that the most appropriate mechanism to implement Fansteel's proposed workplan is through an agreed Administrative Order under Section 106 of the Comprehensive Environmental Response and Compensation Liability Act/ Superfund Amendment Reauthorization Act (CERCLA/SARA). The details of this process and the content of the Administrative Order may be initiated at the meeting you requested in our Dallas office.

Mr. Jim Mullins in our Emergency Response Branch will coordinate this meeting with the appropriate programs in our Regional Office as well as with the Nuclear Regulatory Commission, Oklahoma Water Resources Board, and the Oklahoma State Health Department. Mr. Mullins will be contacting you to arrange for a mutually agreeable date and time. You may also call Mr. Mullins at (214) 655-2273 if you wish.

We look forward to working with you to resolve this issue.

Sincerely yours,

/s/ William B. Hathaway for
Robert F. Layton, Jr., P.E.
Regional Administrator

cc: Oklahoma State Health Department
Oklahoma Water Resources Board
Oklahoma Department of Pollution Control



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